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ATTORNEYS FOR PLAINTIFF
ADASA INC

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
EUGENE DIVISION

ADASA INC.,

Plaintiff,

v.

AVERY DENNISON CORPORATION,

Defendant.

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Case No.: 6:17-cv-01685-MK

**JOINT AMENDED PROPOSED
VERDICT FORM**

JURY TRIAL DEMANDED

Pursuant to the Court's Trial Management Order (ECF No. 286), the parties hereby submit the following amended jointly proposed verdict form. While the proposed verdict form is being submitted jointly and in an agreed form, the parties reserve the right to individually seek modification based on the evidence presented during trial.

VERDICT FORM¹

When answering the following questions and filling out this Verdict Form, please follow the directions provided throughout the form. Your answer to each question must be unanimous. Some of the questions contain legal terms that are defined and explained in detail in the Jury Instructions. Please refer to the Jury Instructions if you are unsure about the meaning or usage of any legal term that appears in the questions below.

We, the jury, unanimously agree to the answers to the following questions and return them under the instructions of this court as our verdict in this case.

¹ Model Patent Jury Instructions for the Northern District of California (updated January 2018).

I. INFRINGEMENT

QUESTION 1: Has ADASA proven by a preponderance of the evidence that Avery Dennison's Commissioning Authority tags literally infringe Claim 1 of the '967 Patent?

*A "YES" is a finding in favor of ADASA, a "NO" is a finding in favor of Avery Dennison.*²

CLAIM 1: **YES** _____ **NO** _____

QUESTION 2: Has ADASA proven by a preponderance of the evidence that Avery Dennison's Commissioning Authority tags infringe Claim 1 of the '967 Patent via the doctrine of equivalence?

*A "YES" is a finding in favor of ADASA, a "NO" is a finding in favor of Avery Dennison.*³

CLAIM 1: **YES** _____ **NO** _____

² Adapted from Verdict Form in *Finjan, Inc. v. Sophos, Inc.*, Case No. 14-cv-01197-WHO.

³ Adapted from Verdict Form in *Finjan, Inc. v. Sophos, Inc.*, Case No. 14-cv-01197-WHO.

II. DAMAGES

QUESTION 3: What amount has ADASA proven by a preponderance of the evidence that it is entitled to recover as a reasonable royalty compensation for Avery Dennison's infringement?⁴

Include Commissioning Authority tags in this calculation only if you answered YES to Questions 1 or 2.

Running Royalty:

$$\left(\begin{array}{c} \text{[Total \# of} \\ \text{PCTag tags]} \end{array} + \begin{array}{c} \text{[Total \# of} \\ \text{Commissioning} \\ \text{Authority tags]} \end{array} \right) \times \$ \begin{array}{c} \text{[Royalty} \\ \text{amount per} \\ \text{RFID Tag]} \end{array} = \$ \begin{array}{c} \text{[Total Reasonable} \\ \text{Royalty for} \\ \text{RFID Tags for the} \\ \text{time period October} \\ \text{24, 2017 through} \\ \text{March 31, 2021]} \end{array}$$

⁴ Adapted from Model Patent Jury Instructions for the Northern District of California (updated January 2018).

You have now reached the end of the verdict form and should review it to ensure it accurately reflects your unanimous determinations. The Presiding Juror should then sign and date the verdict form in the spaces below and notify the Courtroom Deputy that you have reached a verdict. The Presiding Juror should retain possession of the verdict form and bring it when the jury is brought back into the courtroom.

Date:

By: _____
Presiding Juror

DATED: May 3, 2021

Respectfully submitted,

By: /s/ Glenn S. Orman

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CERTIFICATE OF SERVICE

I hereby certify that on the 3rd of May, 2021, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, District of Oregon, Eugene Division using the electronic case filing system of the court. The electronic case filing system sent a “Notice of Electronic Filing” to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Glenn S. Orman